

REMARKS

Claims 1-7 are pending in the application. The examiner has objected the abstract and the disclosure. Furthermore, the examiner has rejected claims 1- 7 under 35 U.S.C. §102(e) as being anticipated by Meksavan et al. (U.S. Patent No. 6,581,838).

In response to the objection, the abstract and paragraph have been amended to overcome the objection. It is requested this objection be withdrawn.

In response to the rejection, claim 1 has been amended to include a scanning unit for reading the bar code pattern (see spec. page 4, lines 12-13) and a lighting device to provide an auxiliary illumination for a user to read the bar code pattern in an insufficiently lighting environment (see spec. page 5, lines 2-13 and page 6, lines 1-6). No new matter has been added. Meksavan et al disclose a scanner 20 includes an LED 82 acting as a photoemitter 56 for producing an IR optical beam and a phototransistor 84 acting as a photodector 58 responsive to a wavelength of light emitted by the LED 82 (see column 5, lines 3-11). It is obvious that the photoemitter which the Examiner mentioned in the rejection is for reading the bar code pattern. Meksavan et al. do not disclose any other lighting device to provide an auxiliary illumination for a user to read the bar code pattern in an insufficiently lighting environment. Therefore, Applicant respectfully traverses the Examiner's rejection. As stated in MPEP §2131:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the...claim. Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

(Emphases added).

If the Examiner believes that a further telephonic interview will facilitate allowance of the claims, he is respectfully requested to contact the undersigned at (610) 446-5886. For the reasons stated above, Applicant respectfully asserts that the pending claims are in condition for allowance. Reconsideration and allowance of the pending claims are respectfully requested.

Respectfully submitted,

Chris Yeh

By 
Kao H. Lu, Esquire
Registration No. 43,761
(610) 446-5886

686 Lawson Ave
Havertown, Pa 19083